



## **S.L. 2010-13 (HOUSE BILL 1713): Improve Success of FMPs**

*2009-2010 General Assembly*

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<b>Committee:</b>		<b>Date:</b>	July 20, 2010
<b>Introduced by:</b>	Representatives Wainwright, Spear, and Underhill	<b>Prepared by:</b>	Jeff Hudson Staff Attorney
<b>Analysis of:</b>	S.L. 2010-13		

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**SUMMARY:** *S.L. 2010-13 (House Bill 1713) provides that each Fishery Management Plan must specify a time period for ending overfishing and achieving a sustainable harvest and include a standard of at least fifty percent probability of achieving sustainable harvest.*

*House Bill 1713 was a recommendation of the Joint Legislative Commission on Seafood and Aquaculture.*

**[As introduced, House Bill 1713 was identical to S1275, as introduced by Senator Albertson.]**

### **CURRENT LAW:**

Under current law, the Department of Environment and Natural Resources (DENR) must develop and the Marine Fisheries Commission (MFC) must adopt Fishery Management Plans (FMPs) for all commercially or recreationally significant marine fisheries. Among other things, each FMP must specify a time period, not to exceed 10 years from the date of the adoption of the plan, for ending overfishing and achieving a sustainable harvest. This requirement only applies to fisheries that are overfished and does not apply to fisheries where the biology of the fish or environmental conditions make ending overfishing and achieving a sustainable harvest within 10 years impracticable.

### **BILL ANALYSIS:**

S.L. 2010-13 provides that each FMP must:

- Specify a time period, **not to exceed two years** from the date of the adoption of the plan, for **ending overfishing**. This requirement only applies to fisheries that are not producing a sustainable harvest.
- Specify a time period, **not to exceed 10 years** from the date of the adoption of the plan, for **achieving a sustainable harvest**. This requirement does not apply to fisheries where the Fisheries Director determines that the biology of the fish, environmental conditions, or lack of sufficient data make implementing the requirement incompatible with professional standards for fisheries management.
- Include a standard of at least fifty percent (50%) probability of achieving sustainable harvest for the fishery or fisheries. This requirement does not apply to fisheries where the Fisheries Director determines that the biology of the fish, environmental conditions, or lack of sufficient data make implementing the requirement incompatible with professional standards for fisheries management.

**EFFECTIVE DATE:** This act became effective June 23, 2010.

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